

### REMARKS

Applicant has carefully reviewed and considered the office action and the references enclosed therewith. Entry of the above noted Amendment is respectfully requested. The claims 1-4 and 6-7 have been amended. Claims 5, 8 have been cancelled. Claims 1-4 and 6-7 are pending in this application.

Claim 8 stands objected to because of the informalities. Applicant has canceled claim 8. Accordingly, this objection is deemed moot.

Claims 1-2 and 8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lyons et al. Applicant traverses the rejection for the following reasons.

It is submitted that Lyons et al. neither discloses nor suggests all of the features of the claimed invention. In particular, Lyons et al. fails to disclose or suggest an insulating film that is formed between a third conductive layer and a photosensitive material. Lyons et al. further fails to disclose or suggest a sidewall oxide film that is formed on sidewalls of the Al layer.

According to Lyons et al., a photoresist is deposited on the polysilicon conductive film, a sidewall film is deposited over the polysilicon conductive film, and a directional etch is performed removing portions of the sidewall film covering the flat surfaces of

the polysilicon film. It is clear that Lyons et al. fails to disclose or suggest the insulating film and the sidewall oxide film of the claimed invention. Therefore, claim 1 and its dependent claims 2 and 8 are not anticipated by Lyons et al. under 35 U.S.C. §102(b).

Claims 1, 5 and 8 stand rejected under 35 U.S.C. §102(e) as being anticipated by Brown et al., Tsou et al. or Ku et al. Applicant traverses the rejections for the following reasons.

Brown et al., Tsou et al. and Ku et al. disclose that a passivating film is formed on vertical sidewalls and on a thinned conductive layer and then be etched. Then, a notched region is formed using an isotropic etching process that is selective to both the gate dielectric and the passivating film. In contrast, the claimed invention recites that the photosensitive material is removed after etching the insulating film, the second and third conductive layers, and the oxide film is only formed on the side walls of the second conductive layer.

Tsou et al. and Ku et al. teach that the insulating material is formed between the semiconductor substrate and the conductive layer. By contrast, the claimed invention recites that the insulating film is formed over the metal line layer having a plurality of conductive layers on the semiconductor structure.

Accordingly, Applicant believes that the claimed invention is

clearly distinguishable from the cited references.

Therefore, Applicant respectfully submits that claims 1, 5 and 8 are not anticipated by Brown et al., Tsou et al. or Ku et al. under 35 U.S.C. §102(e).

Claims 3-4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lyons et al. in view of Lo, further in view of Takada et al. claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lyons et al. in view of Brown et al. and further in view of Lo. Claims 2-4 and 6-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tsou et al. in view of Lo and further in view of Takada et al. Applicant traverses the rejection for the following reasons.

As set forth above, Lyons et al., Brown et al., and Tsou et al., as combined, do not disclose or suggest all of the features of claim 1. Applicant further submits that Lo and Takada et al. do not supply the above-noted deficiencies of Lyons et al., Brown et al., and Tsou et al. Therefore, Applicant submits that claims 2-4 and 6-7, which are dependent on claim 1, are patentable for the reasons discussed above with respect to claim 1, as well as on their own merits.

All objections and rejections having been addressed, it is respectfully submitted that claims 1-4 and 6-7 are now in condition for allowance and a notice to that effect is earnestly solicited. If

any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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